

Judy Rabinovitz*
Michael Tan*
Omar Jadwat*
Lee Gelernt*
Anand Balakrishnan*
Daniel Galindo (SBN 292854)
ACLU FOUNDATION
IMMIGRANTS' RIGHTS PROJECT
125 Broad Street, 18th Floor
New York, NY 10004
T: (212) 549-2660
F: (212) 549-2654
jrabinovitz@aclu.org
mtan@aclu.org
ojadwat@aclu.org
lgelernt@aclu.org
abalakrishnan@aclu.org
dgalindo@aclu.org

Katrina Eiland (SBN 275701)
Cody Wofsy (SBN 294179)
ACLU FOUNDATION
IMMIGRANTS' RIGHTS PROJECT
39 DRUMM STREET
San Francisco, CA 94111
T: (415) 343-0770
F: (415) 395-0950
keiland@aclu.org
cwofsy@aclu.org

Attorneys for Plaintiffs (Additional counsel listed on following page)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

Innovation Law Lab, *et al.*,

Plaintiffs,

v.

Alejandro Mayorkas, *et al.*,

Defendants.

CASE NO.: 3:19-CV-00807-RS

**DECLARATION OF JUDY RABINOVITZ
IN SUPPORT OF PLAINTIFF'S
ADMINISTRATIVE MOTION TO SET A
CASE MANAGEMENT CONFERENCE**

Gracie Willis*
SOUTHERN POVERTY LAW CENTER
150 East Ponce de Leon Avenue, Suite 340
Decatur, GA 30030
T: (404) 221-6700
F: (404) 221-5857
gracie.willis@splcenter.org

Michelle P. Gonzalez**
SOUTHERN POVERTY LAW CENTER
P.O. Box 370037
Miami, FL 33137-0037
T: 786-753-1383
F: 786-237-2949
mich.gonzalez@splcenter.org

Steven Watt*
ACLU FOUNDATION HUMAN RIGHTS
PROGRAM
125 Broad Street, 18th Floor
New York, NY 10004
T: (212) 519-7870
F: (212) 549-2654
swatt@aclu.org

Melissa Crow*
CENTER FOR GENDER & REFUGEE STUDIES
1121 14th Street, NW, Suite 200
Washington, DC 20005
T: (202) 355-4471
F: (415) 581-8824
crowmelissa@uchastings.edu

Attorneys for Plaintiffs

**Admitted pro hac vice*

***Pro hac vice application forthcoming*

Blaine Bookey (SBN 267596)
Karen Musalo (SBN 106882)
Kathryn Jastram (SBN 127625)
Sayoni Maitra*
CENTER FOR GENDER & REFUGEE
STUDIES
200 McAllister St.
San Francisco, CA 94102
T: (415) 565-4877
F: (415) 581-8824
bookeybl@uchastings.edu
musalok@uchastings.edu
jastramkate@uchastings.edu
maitras@uchastings.edu

Sean Riordan (SBN 255752)
AMERICAN CIVIL LIBERTIES
UNION FOUNDATION OF
NORTHERN CALIFORNIA, INC.
39 Drumm Street
San Francisco, CA 94111
T: (415) 621-2493
F: (415) 255-8437
sriordan@aclunc.org

Julie Veroff (SBN 310161)
COOLEY LLP
3 Embarcadero Center, 20th Floor
San Francisco, CA 94111-4004
T: (415) 693-2000
F: (415) 693-2222
jveroff@cooley.com

Declaration of Judy Rabinovitz

1. I am an attorney for Plaintiffs in this case. I am licensed to practice law in New York and admitted *pro hac vice* in this case.
2. The parties have been actively engaged in efforts to settle this case for more than a year.
3. While meaningful progress has been made, the process has taken longer than anticipated, with often significant delays in the time it has taken Defendants to respond to Plaintiffs' settlement communications.
4. On October 11, 2022, we sent counsel for the Defendants a response to their latest settlement proposal, dated September 14, 2022. We indicated that Defendants' proposal was largely acceptable to Plaintiffs with the exception of two issues which required further clarification. In order to avoid further delays, and in light of the urgency of providing relief to individual plaintiffs, we asked for a meeting with the government decision makers to resolve those remaining issues, to take place within two weeks.
5. Counsel for Defendants, Erez Reuvini, communicated to me that Defendants were unwilling to schedule such a meeting until they had prepared a response to our latest settlement communication, but that such a response was forthcoming. However, to date no response has been provided, nor have Defendants committed to a timeline for providing one.
6. During a telephone meeting with Mr. Reuvini on November 3, 2022, I therefore proposed the possibility of requesting a case management conference ("CMC") to explore the possibility of referral to mediation. And on November 8, 2022, I sought by e-mail to Mr. Reuvini Defendants' position on an administrative motion to set a CMC for November 17, 2022.
7. On November 9, 2022, Mr. Reuvini responded that Defendants oppose a motion setting a CMC for this purpose.

I declare under penalty of perjury that the foregoing is true. Executed on November 10, 2022 in New York, NY.

Dated: November 10, 2022

Respectfully submitted,

/s/ Judy Rabinovitz
Judy Rabinovitz
Attorney for Plaintiffs